

Message Text

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PAGE 01 STATE 194971

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TAGS: ECOSOC

SUBJECT: 61ST ECOSOC: ILLICIT PAYMENTS RESOLUTION

FOR AMBASSADOR MYERSON

THE FOLLOWING ARTICLE APPEARED ON P. 43 OF THE NEW YORK
TIMES OF AUGUST 5.

BEGIN QUOTE

THE UNITED NATIONS ECONOMIC AND SOCIAL COUNCIL AGREED
TODAY TO SET UP AN INTERGOVERNMENTAL GROUP THAT WOULD PRE-
PARE AN ACCORD DESIGNED TO PREVENT BRIBERY AND OTHER
CORRUPT PRACTICES BY MULTINATIONAL COMPANIES.

ACTING ON A UNITED STATES INITIATIVE, THE 54-NATION
COUNCIL ADOPTED BY CONSENSUS AT A MEETING OF ITS ECONOMIC
COMMITTEE A RESOLUTION CALLING FOR THE SPECIAL WORKING
GROUP OF 18 NATIONS TO COMPLETE ITS TASK BY NEXT SUMMER.

THE ACCORD WOULD BE SUBMITTED TO THE COUNCIL AT ITS
ANNUAL SESSION HERE. IF APPROVED, IT WOULD BE FORWARDED
TO THE GENERAL ASSEMBLY FOR FINAL ACTION.

UNCLASSIFIED

UNCLASSIFIED

PAGE 02 STATE 194971

THIS RESOLUTION WAS ADOPTED AFTER PROTRACTED INFORMAL NEGOTIATIONS IN WHICH THE "GROUP OF 77," A CAUCUS OF DEVELOPING COUNTRIES, PLAYED A MAJOR ROLE. THESE COUNTRIES SOUGHT TO EMPHASIZE THAT CORRUPT PRACTICES WAS ONLY ONE ASPECT OF THEIR CONCERN OVER THE CONDUCT OF MULTINATIONAL CORPORATIONS.

NEVERTHELESS, THE TEXT THAT EMERGED FROM THE NEGOTIATIONS COVERED THE SUBSTANCE OF WHAT THE UNITED STATES HAD SOUGHT WHEN IT INITIATED THE DISCUSSION BY PRESENTING A RESOLUTION AGAINST BRIBERY.

FOR THIS REASON THE AMERICAN REPRESENTATIVE, ROBERT W. KITCHEN, ANNOUNCED THAT HE WAS DELIGHTED TO WITHDRAW THE RESOLUTION IN FAVOR OF THE COMPROMISE TEXT THAT WAS PRESENTED IN THE NAME OF THE ECONOMIC COMMITTEE'S CHAIRMAN, LADISLAV SMID OF CZECHOSLOVAKIA.

MR. KITCHEN ALSO STRESSED THAT IN DECIDING TO TACKLE THE QUESTION OF BRIBERY SEPARATELY "WE IN NO WAY DENIGRATE THE INTEREST OF US ALL "IN A PROJECTED CODE OF CONDUCT THAT IS TO BE DRAFTED BY THE UNITED NATIONS COMMISSION ON TRANSNATIONAL CORPORATIONS.

THE APPROVED RESOLUTION REAFFIRMED THE COUNCIL'S CONCERN THAT THE FORMULATION OF THE CODE SHOULD HAVE THE "HIGHEST PRIORITY" AND THAT THIS SHOULD NOT BE DELAYED IN ANY WAY BY THE WORK ON THE PACT COVERING BRIBERY.

THE UNITED STATES RESOLUTION HAD EXPRESSED THE HOPE THAT THIS PACT WOULD TAKE THE FORM OF A CONVENTION ON "MEASURES TO COMBAT ILLICIT PAYMENTS TO GOVERNMENT OFFICIALS IN CONNECTION WITH INTERNATIONAL TRANSACTIONS" THAT THE GENERAL ASSEMBLY WOULD OPEN THE SIGNATURE AT ITS REGULAR 1977 SESSION.

THE COUNCIL'S RESOLUTION, HOWEVER, DOES NOT SPECIFY THE FORM THE ACCORD ON BRIBERY SHOULD TAKE OR WHAT "FINAL ACTION" WILL BE EXPECTED OF THE GENERAL ASSEMBLY. THIS LEAVES OPEN THE POSSIBILITY THAT THE ACCORD COULD BE LEFT UNCLASSIFIED

UNCLASSIFIED

PAGE 03 STATE 194971

TO BE INCORPORATED INTO THE WIDER CODE OF CONDUCT AS SOME DEVELOPING COUNTRIES WOULD PREFER.

THE COUNCIL IS TO SELECT THE NATIONS IN THE WORKING GROUP ON THE BASIS OF GEOGRAPHICAL DISTRIBUTION. IT IS NOT EXPECTED TO REACH AN AGREEMENT ON THE GROUP'S COMPOSITION BEFORE THE END OF ITS CURRENT SESSION TOMORROW. THE WORKING GROUP ITSELF IS EXPECTED TO HOLD ITS FIRST

MEETING IN OCTOBER.

SECRETARY OF COMMERCE ELLIOT L. RICHARDSON SAID
YESTERDAY IN WASHINGTON THAT A BASIC SOLUTION OF THE
BRIBERY PROBLEM WOULD REQUIRE A NEW INTERNATIONAL TREATY
IN THE FRAMEWORK OF THE UNITED NATIONS. AS A FIRST STEP,
THE INDUSTRIAL NATIONS, THROUGH THE ORGANIZATION FOR
ECONOMIC COOPERATION AND DEVELOPMENT, HAVE ADOPTED A
VOLUNTARY CODE OF CONDUCT FOR MULTINATIONALS. END QUOTE.
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